Amendments to the Specification:

Please replace the paragraph beginning on page 6, line 29 with the following amended paragraph:

Figure 3 illustrates in graphic form an actual relationship of kilobytes of MPEG video data being stored over time. In this illustration, a linear relationship 62 of time versus kilobytes of video data is shown in comparison with the actual relationship 64. In this illustration when the slope of the actual relationship <u>64</u> is less than the <u>slope of the</u> linear relationship <u>62</u>, the images being stored typically correspond to an action scene. As is known, in action scenes, the amount of MPEG video information to represent the corresponding images is larger than still images. When the slope of the actual relationship 64 is greater than the slope of the linear relationship 62, the images being stored correspond to relatively still images where the amount of MPEG information required is relatively small.

Please replace the paragraph beginning on page 8, line 13 with the following amended paragraph:

In Figure 6, the new reference point is defined based on the new t_{ref} being equal to t_{min}. Another new linear reference 76 is drawn between another new minimum reference and the maximum reference point. Having done this, another new byte reference $N2_{ref}$ is determined based on the intersection of the another new linear reference 76 and the program start time [[T_s]] $\underline{t_s}$. Having determined this, the second new t_{ref} is obtained based on the intersection of the new byte reference $N2_{ref}$ and the non-linear monotonic function. Having obtained the second new t_{ref}, a determination is made as to whether it is substantially similar to [[T_s]] $\underline{t_s}$. The values will be similar when they have the same time stamp, or within a few time stamps, such that the program

start byte is within 2 kilobytes of the appropriate start time. If the new t_{ref} is not substantially

equal to the program start time, the processing as shown in Figures 4-6 is continued until it is.